

**BEFORE THE  
BOARD OF BEHAVIORAL SCIENCES  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 200-2021-002749

**KELSEY LEE SANTOS**  
4730 Tenbury Lane  
Rocklin, CA 95677-4488

**Associate Clinical Social Worker**  
**Registration No. ASW 89404**

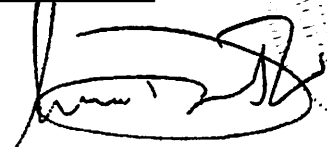
Respondent.

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Behavioral Sciences, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on January 5, 2023.

It is so ORDERED December 6, 2022.



\_\_\_\_\_  
FOR THE BOARD OF BEHAVIORAL SCIENCES  
DEPARTMENT OF CONSUMER AFFAIRS

1 ROB BONTA  
Attorney General of California  
2 KAREN R. DENVIR  
Supervising Deputy Attorney General  
3 LORRIE M. YOST  
Deputy Attorney General  
4 State Bar No. 119088  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 210-6086  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

8  
9 **BEFORE THE**  
**BOARD OF BEHAVIORAL SCIENCES**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12  
13 In the Matter of the Accusation Against:

Case No. 200-2021-002749

14 **KELSEY LEE SANTOS**  
4730 Tenbury Lane  
15 Rocklin, CA 95677-4488

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

16 Associate Clinical Social Worker  
Registration No. ASW 89404

17 Respondent.  
18

19  
20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
21 entitled proceedings that the following matters are true:

22 **PARTIES**

23 1. Steve Sodergren (Complainant) is the Executive Officer of the Board of Behavioral  
24 Sciences (Board). He brought this action solely in his official capacity and is represented in this  
25 matter by Rob Bonta, Attorney General of the State of California, by Lorrie M. Yost, Deputy  
26 Attorney General.

27 2. Respondent Kelsey Lee Santos (Respondent) is representing herself in this  
28 proceeding and has chosen not to exercise her right to be represented by counsel.

3. On or about June 10, 2019, the Board issued Associate Clinical Social Worker Registration No. ASW 89404 to Kelsey Lee Santos (Respondent). The Associate Clinical Social Worker Registration was in full force and effect at all times relevant to the charges brought in Accusation No. 200-2021-002749, and will expire on June 30, 2023, unless renewed.

## JURISDICTION

4. Accusation No. 200-2021-002749 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on August 3, 2022. Respondent timely filed her Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 200-2021-002749 is attached as Exhibit A and incorporated herein by reference.

## **ADVISEMENT AND WAIVERS**

6. Respondent has carefully read, and understands the charges and allegations in Accusation No. 200-2021-002749. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

## CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in Accusation No. 200-2021-002749.

///

10. Respondent agrees that her Associate Clinical Social Worker Registration is subject to discipline and she agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

## CONTINGENCY

11. This stipulation shall be subject to approval by the Board of Behavioral Sciences. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Behavioral Sciences may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

///

///

1

2

7

## 10

11

16

21

27

1 notified by the Board or its designee. Respondent shall not engage in any practice for which a  
2 registration issued by the Board is required, until the Board or its designee has notified  
3 Respondent of its determination that Respondent may resume practice.

## 4       2.     **Psychotherapy**

5       Respondent shall participate in ongoing psychotherapy with a California licensed mental  
6 health professional who has been approved by the Board. Within 15 days of the effective date of  
7 this Decision, Respondent shall submit to the Board or its designee for its prior approval the name  
8 and qualifications of one or more therapists of Respondent's choice. Such therapist shall possess  
9 a valid California license to practice and shall have had no prior business, professional, or  
10 personal relationship with Respondent, and shall not be Respondent's supervisor. Counseling  
11 shall be at least once a week unless otherwise determined by the Board. Respondent shall  
12 continue in such therapy at the Board's discretion. Cost of such therapy is to be borne by  
13 Respondent.

14       Respondent may, after receiving the Board's written permission, receive therapy via  
15 videoconferencing if Respondent's good faith attempts to secure face-to-face counseling are  
16 unsuccessful due to the unavailability of qualified mental health care professionals in the area.  
17 The Board may require that Respondent provide written documentation of her good faith attempts  
18 to secure counseling via videoconferencing.

19       Respondent shall provide the therapist with a copy of the Board's Decision no later than the  
20 first counseling session. Upon approval by the Board, Respondent shall undergo and continue  
21 treatment until the Board or its designee determines that no further psychotherapy is necessary.

22       Respondent shall take all necessary steps to ensure that the treating psychotherapist submits  
23 quarterly written reports to the Board concerning Respondent's fitness to practice, progress in  
24 treatment, and to provide such other information as may be required by the Board. Respondent  
25 shall execute a Release of Information authorizing the therapist to divulge information to the  
26 Board.

27       If the treating psychotherapist finds that Respondent cannot practice safely or  
28 independently, the psychotherapist shall notify the Board within three (3) working days. Upon

1 notification by the Board, Respondent shall immediately cease practice and shall not resume  
2 practice until notified by the Board or its designee that Respondent may do so. Respondent shall  
3 not thereafter engage in any practice for which a registration issued by the Board is required until  
4 the Board or its designee has notified Respondent that she may resume practice. Respondent  
5 shall document compliance with this condition in the manner required by the Board.

6 **3. Education**

7 Respondent shall take and successfully complete the equivalency of 2 semester units in  
8 substance use/abuse. All course work shall be taken at the graduate level at an accredited or  
9 approved educational institution that offers a qualifying degree for licensure as a marriage and  
10 family therapist, clinical social worker, educational psychologist, or professional clinical  
11 counselor or through a course approved by the Board. Classroom attendance must be specifically  
12 required. Course content shall be pertinent to the violation and all course work must be completed  
13 within 18 months (or as approved by the Board) from the effective date of this Decision.

14 Within 90 days of the effective date of the Decision Respondent shall submit a plan for  
15 prior Board approval for meeting these educational requirements. All costs of the course work  
16 shall be paid by Respondent. Units obtained for an approved course shall not be used for  
17 continuing education units required for renewal of licensure.

18 **4. Abstain from Controlled Substances / Submit to Drug and Alcohol Testing**

19 Respondent shall completely abstain from the use or possession of controlled or illegal  
20 substances unless lawfully prescribed by a medical practitioner for a bona fide illness.

21 Respondent shall immediately submit to random and directed drug and alcohol testing, at  
22 Respondent's cost, upon request by the Board or its designee. Respondent shall be subject to a  
23 minimum number of random tests per year for the duration of the probationary term, as  
24 prescribed in the Uniform Standards Related to Substance Abuse listed herein. There will be no  
25 confidentiality in test results. Any confirmed positive finding will be immediately reported to  
26 Respondent, Respondent's current employer, and the supervisor, if any, and shall be a violation of  
27 probation.

28 ///

1 If Respondent tests positive for a controlled substance, Respondent's license shall be  
2 automatically suspended. Respondent shall make daily contact as directed by the Board to  
3 determine if she must submit to testing. Respondent shall submit her test on the same day that  
4 she is notified that a test is required. All alternative testing sites due to vacation or travel outside  
5 of California must be approved by the Board prior to the vacation or travel.

6 **5. Abstain from Use of Alcohol / Submit to Alcohol and Drug Testing**

7 Respondent shall completely abstain from the intake of alcohol during the period of  
8 probation.

9 Respondent shall immediately submit to random and directed drug and alcohol testing, at  
10 Respondent's cost, upon request by the Board or its designee. Respondent shall be subject to a  
11 minimum number of random tests per year for the duration of the probationary term, as  
12 prescribed in the Uniform Standards Related to Substance Abuse listed herein. There will be no  
13 confidentiality in test results. Any confirmed positive finding will be immediately reported to  
14 Respondent, Respondent's current employer, and to the supervisor, if any, and shall be a violation  
15 of probation.

16 If Respondent tests positive for alcohol and/or a controlled substance, Respondent's license  
17 shall be automatically suspended. Respondent shall make daily contact as directed by the Board  
18 to determine if she must submit to testing. Respondent shall submit her test on the same day that  
19 she is notified that a test is required. All alternative testing sites due to vacation or travel outside  
20 of California must be approved by the Board prior to the vacation or travel.

21 **6. Dependency Support Program**

22 Respondent shall attend a dependency support program approved by the Board no less than  
23 2 times per week. Respondent shall provide proof of attendance at said program with each  
24 quarterly report that Respondent submits during the period of probation. Failure to attend, or to  
25 show proof of such attendance, shall constitute a violation of probation.

26 **7. Obey All Laws**

27 Respondent shall obey all federal, state and local laws, all statutes and regulations  
28 governing the registration, and remain in full compliance with any court ordered criminal



1 probation, payments and other orders. A full and detailed account of any and all violations of law  
2 shall be reported by the Respondent to the Board or its designee in writing within seventy-two  
3 (72) hours of occurrence. To permit monitoring of compliance with this term, Respondent shall  
4 submit fingerprints through the Department of Justice and Federal Bureau of Investigation within  
5 30 days of the effective date of the Decision, unless previously submitted as part of the licensure  
6 application process. Respondent shall pay the cost associated with the fingerprint process.

7 **8. File Quarterly Reports**

8 Respondent shall submit quarterly reports, to the Board or its designee, as scheduled on the  
9 "Quarterly Report Form" (rev. 07/2016). Respondent shall state under penalty of perjury whether  
10 she has been in compliance with all the conditions of probation. Notwithstanding any provision  
11 for tolling of requirements of probation, during the cessation of practice Respondent shall  
12 continue to submit quarterly reports under penalty of perjury.

13 **9. Comply with Probation Program**

14 Respondent shall comply with the probation program established by the Board and  
15 cooperate with representatives of the Board in its monitoring and investigation of Respondent's  
16 compliance with the program.

17 **10. Interviews with the Board**

18 Respondent shall appear in person for interviews with the Board or its designee upon  
19 request at various intervals and with reasonable notice.

20 **11. Failure to Practice**

21 In the event Respondent stops practicing in California, Respondent shall notify the Board or  
22 its designee in writing within 30 calendar days prior to the dates of non-practice and return to  
23 practice. Non-practice is defined as any period of time exceeding thirty calendar days in which  
24 Respondent is not engaging in any activities defined in Sections 4980.02, 4989.14, 4996.9, or  
25 4999.20 of the Business and Professions Code. Any period of non-practice, as defined in this  
26 condition, will not apply to the reduction of the probationary term and will relieve Respondent of  
27 the responsibility to comply with the probationary terms and conditions with the exception of this  
28 condition and the following terms and conditions of probation: Obey All Laws; File Quarterly

1 Reports; Comply With Probation Program; Maintain Valid License/Registration; and Cost  
2 Recovery. Respondent's license shall be subject to cancellation if Respondent's period of non-  
3 practice totals two years.

4 **12. Change of Place of Employment or Place of Residence**

5 Respondent shall notify the Board or its designee in writing within 30 days of any change  
6 of place of employment or place of residence. The written notice shall include the address, the  
7 telephone number and the date of the change.

8 **13. Supervision of Unlicensed Persons**

9 While on probation, Respondent shall not act as a supervisor for any hours of supervised  
10 practice required for any license issued by the Board. Respondent shall terminate any such  
11 supervisory relationship in existence on the effective date of this Decision.

12 **14. Notification to Clients**

13 Respondent shall notify all clients when any term or condition of probation will affect their  
14 therapy or the confidentiality of their records, including but not limited to supervised practice,  
15 suspension, or client population restriction. Such notification shall be signed by each client prior  
16 to continuing or commencing treatment. Respondent shall submit, upon request by the Board or  
17 its designee, satisfactory evidence of compliance with this term of probation.

18 **15. Notification to Employer**

19 Respondent shall provide each of her current or future employers, when performing  
20 services that fall within the scope of practice of her registration, a copy of this Decision and the  
21 Statement of Issues or Accusation before commencing employment. Notification to Respondent's  
22 current employer shall occur no later than the effective date of the Decision or immediately upon  
23 commencing employment. Respondent shall submit, upon request by the Board or its designee,  
24 satisfactory evidence of compliance with this term of probation.

25 Respondent shall provide to the Board the names, physical addresses, and telephone  
26 numbers of all employers, supervisors, and contractors.

27 Respondent shall complete the required consent forms and sign an agreement with the  
28 employer and supervisor, or contractor, and the Board to allow the Board to communicate with

1 the employer and supervisor or contractor regarding the licensee's work status, performance, and  
2 monitoring.

3 **16. Violation of Probation**

4 If Respondent violates the conditions of her probation, the Board, after giving Respondent  
5 notice and the opportunity to be heard, may set aside the stay order and impose the discipline  
6 (revocation/suspension) of Respondent 's license provided in the Decision.

7 If during the period of probation, an accusation, petition to revoke probation, or statement  
8 of issues has been filed against Respondent's license or application for licensure, or the Attorney  
9 General's office has been requested to prepare such an accusation, petition to revoke probation, or  
10 statement of issues, the probation period set forth in this Decision shall be automatically extended  
11 and shall not expire until the accusation, petition to revoke probation, or statement of issues has  
12 been acted upon by the Board. Upon successful completion of probation, Respondent's license  
13 shall be fully restored.

14 **17. Maintain Valid License**

15 Respondent shall, at all times while on probation, maintain a current and active license with  
16 the Board, including any period during which suspension or probation is tolled. Should  
17 Respondent's license, by operation of law or otherwise, expire, upon renewal Respondent's  
18 license shall be subject to any and all terms of this probation not previously satisfied.

19 **18. License Surrender**

20 Following the effective date of this Decision, if Respondent ceases practicing due to  
21 retirement or health reasons, or is otherwise unable to satisfy the terms and conditions of  
22 probation, Respondent may voluntarily request the surrender of her license to the Board. The  
23 Board reserves the right to evaluate Respondent's request and to exercise its discretion whether to  
24 grant the request or to take any other action deemed appropriate and reasonable under the  
25 circumstances. Upon formal acceptance of the surrender, Respondent shall within 30 calendar  
26 days deliver Respondent's license and certificate and, if applicable, wall certificate to the Board or  
27 its designee and Respondent shall no longer engage in any practice for which a license is

28 ///

1 required. Upon formal acceptance of the tendered license, Respondent will no longer be subject  
2 to the terms and conditions of probation.

3 Voluntary surrender of Respondent's license shall be considered to be a disciplinary action  
4 and shall become a part of Respondent's license history with the Board. Respondent may not  
5 petition the Board for reinstatement of the surrendered license. Should Respondent at any time  
6 after voluntary surrender ever reapply to the Board for licensure Respondent must meet all  
7 current requirements for licensure including, but not limited to, filing a current application,  
8 meeting all current educational and experience requirements, and taking and passing any and all  
9 examinations required of new applicants.

10 **19. Instruction of Coursework Qualifying for Continuing Education**

11 Respondent shall not be an instructor of any coursework for continuing education credit  
12 required by any license issued by the Board.

13 **20. Notification to Referral Services**

14 Respondent shall immediately send a copy of this Decision to all referral services registered  
15 with the Board in which Respondent is a participant. While on probation, Respondent shall send  
16 a copy of this Decision to all referral services registered with the Board that Respondent seeks to  
17 join.

18 **21. Reimbursement of Probation Program**

19 Respondent shall reimburse the Board for the costs it incurs in monitoring the probation to  
20 ensure compliance for the duration of the probation period. Reimbursement costs shall be  
21 \$1,200.00 per year.

22 **22. Cost Recovery**

23 Respondent shall pay the Board \$3,183.00 as and for the reasonable costs of the  
24 investigation and prosecution of Case No. 200-2021-002749. Respondent shall make such  
25 payments in accordance with a payment plan outlined by the Board. Respondent shall make the  
26 check or money order payable to the Board of Behavioral Sciences and shall indicate on the  
27 check or money order that it is the cost recovery payment for Case No. 200-2021-002749. Any  
28 order for payment of cost recovery shall remain in effect whether or not probation is tolled.

1 Probation shall not terminate until full payment has been made. Should any part of cost recovery  
2 not be paid in accordance with the outlined payment schedule, Respondent shall be considered to  
3 be in violation of probation. A period of non-practice by Respondent shall not relieve  
4 Respondent of her obligation to reimburse the Board for its costs.

5 Cost recovery must be completed six months prior to the termination of probation. A  
6 payment plan authorized by the Board may be extended at the discretion of the Enforcement  
7 Manager based on good cause shown by the probationer.

8  
9 **ACCEPTANCE**

10 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the  
11 stipulation and the effect it will have on my Associate Clinical Social Worker Registration. I  
12 enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and  
13 intelligently, and agree to be bound by the Decision and Order of the Board of Behavioral  
14 Sciences.

15  
16 DATED: 10/7/22

  
KELSEY LEE SANTOS  
Respondent

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Behavioral Sciences.

DATED: 10/20/2022

Respectfully submitted,

ROB BONTA  
Attorney General of California  
KAREN R. DENVIR  
Supervising Deputy Attorney General

/s/Lorrie Yost

LORRIE M. YOST  
Deputy Attorney General  
*Attorneys for Complainant*

SA2022302951  
36555077.docx

**Exhibit A**

**Accusation No. 200-2021-002749**

1 ROB BONTA  
Attorney General of California  
2 KAREN R. DENVIR  
Supervising Deputy Attorney General  
3 LORRIE M. YOST  
Deputy Attorney General  
4 State Bar No. 119088  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 210-6086  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

8  
9 **BEFORE THE**  
**BOARD OF BEHAVIORAL SCIENCES**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2002021002749

13 **KELSEY LEE SANTOS**  
14 **4730 Tenbury Lane**  
**Rocklin, CA 95677-4488**

**ACCUSATION**

15 **Associate Clinical Social Worker**  
16 **Registration No. ASW 89404**

17 Respondent.

18  
19 **PARTIES**

20 1. Steve Sodergren (Complainant) brings this Accusation solely in his official capacity  
21 as the Executive Officer of the Board of Behavioral Sciences, Department of Consumer Affairs.

22 2. On or about June 10, 2019, the Board of Behavioral Sciences issued Associate  
23 Clinical Social Worker Registration Number ASW 89404 to Kelsey Lee Santos (Respondent).  
24 The Associate Clinical Social Worker Registration was in full force and effect at all times  
25 relevant to the charges brought herein and will expire on June 30, 2023, unless renewed.

26 ///

27 ///

28 ///



1 **JURISDICTION**

2 3. This Accusation is brought before the Board of Behavioral Sciences (Board),  
3 Department of Consumer Affairs, under the authority of the following laws. All section  
4 references are to the Business and Professions Code (Code) unless otherwise indicated.

5 4. Section 4996.11 of the Code states that [t]he board may suspend or revoke the license  
6 of any person who is guilty on the grounds set forth in Section 4992.3. The proceedings for the  
7 suspension or revocation of licenses under this article shall be conducted in accordance with  
8 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government  
9 Code, and the board shall have all the powers granted in that chapter.

10 5. Section 4990.33 states:

11 Notwithstanding any other law, except as provided in Section 4990.32, the  
12 expiration, cancellation, forfeiture, or suspension of a license, registration, or other  
13 authority to practice by operation of law or by order or decision of the board or a  
14 court of law, the placement of a license on a retired status, or the voluntary surrender  
15 of a license or registration by a licensee or registrant, of any license or registration  
16 within the authority of the board, shall not deprive the board of jurisdiction to  
17 commence or proceed with any investigation of, or action or disciplinary proceeding  
18 against, the licensee or registrant or to render a decision suspending or revoking the  
19 license or registration.

16 **STATUTORY PROVISIONS**

17 6. Section 490 of the Code states in pertinent part, that a board may suspend or revoke a  
18 license on the ground that the licensee has been convicted of a crime substantially related to the  
19 qualifications, functions, or duties of the business or profession for which the license was issued.

20 7. Section 4992.3 of the Code states in pertinent part:

21 The board may deny a license or a registration, or may suspend or revoke  
22 the license or registration of a licensee or registrant if the licensee or registrant has  
23 been guilty of unprofessional conduct. Unprofessional conduct includes, but is not  
24 limited to, the following:

24 (a) The conviction of a crime substantially related to the qualifications,  
25 functions, or duties of a licensee or registrant under this chapter. The record of  
26 conviction shall be conclusive evidence only of the fact that the conviction occurred.  
27 The board may inquire into the circumstances surrounding the commission of the  
28 crime in order to fix the degree of discipline or to determine if the conviction is  
substantially related to the qualifications, functions, or duties of a licensee or  
registrant under this chapter. A plea or verdict of guilty or a conviction following a  
plea of nolo contendere made to a charge substantially related to the qualifications,  
functions, or duties of a licensee or registrant under this chapter is a conviction within  
the meaning of this section. The board may order any license or registration

1 suspended or revoked, or may decline to issue a license or registration when the time  
2 for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or,  
3 when an order granting probation is made suspending the imposition of sentence,  
4 irrespective of a subsequent order under Section 1203.4 of the Penal Code allowing

5 the person to withdraw a plea of guilty and enter a plea of not guilty, or setting aside  
6 the verdict of guilty, or dismissing the accusation, information, or indictment.

7 ...

8 (c) Administering to himself or herself any controlled substance or using  
9 any of the dangerous drugs specified in Section 4022 or any alcoholic beverage to the  
10 extent, or in a manner, as to be dangerous or injurious to the person applying for a

11 other person, or to the public, or, to the extent that the use impairs the ability of the  
12 person applying for or holding a registration or license to conduct with safety to the  
13 public the practice authorized by the registration or license. The board shall deny an  
14 application for a registration or license or revoke the license or registration of any  
15 person who uses or offers to use drugs in the course of performing clinical social  
16 work. This provision does not apply to any person also licensed as a physician and  
17 surgeon under Chapter 5 (commencing with Section 2000 ) or the Osteopathic Act

### 18 REGULATORY PROVISIONS

19 8. California Code of Regulations (C.C.R.), title 16, section 1812(a) states (a) For  
20 purposes of denial, suspension, or revocation of a license pursuant to Section 141, Division 1.5  
21 (commencing with Section 475 ), or Section 4982, Section 4989.54, Section 4992.3, or Section  
22 4999.90 of the Code, a crime, professional misconduct, or act shall be considered to be  
23 substantially related to the qualifications, functions or duties of a person holding a license under  
24 Chapters 13, 13.5, 14, and 16 of Division 2 of the Code if to a substantial degree it evidences  
25 present or potential unfitness of a person holding a license to perform the functions authorized by  
26 the license in a manner consistent with the public health, safety or welfare. For purposes of this  
27 section, "license" shall mean license or registration.

28 9. C.C.R., title 16, section 1881 states in pertinent part:

As used in Section 4992.3 of the code, unprofessional conduct includes, but is  
not limited to:

(s) Failure to report to the board within 30 days any of the following:

(1) A conviction of any felony or misdemeanor, which is not subject to Health  
& Safety Code sections 11357 (b), (c), (d), (e), or 11360 (b). A conviction includes  
any verdict of guilty, or plea of guilty or no contest.

1 **COST RECOVERY**

2 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
3 administrative law judge to direct a licensee found to have committed a violation or violations of  
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case.

6 **FACTUAL ALLEGATIONS**

7 11. On or about May 14, 2021, Respondent's parents contacted the Rocklin Police for a  
8 welfare check upon their visiting daughter who appeared to be drunk and about to drive. An  
9 officer came and spoke with Respondent who told him that she had been drinking. The officer  
10 spoke with her about the dangers of driving while drunk and obtained her agreement to put off  
11 driving for the next three to four hours. Less than two hours later, the Rocklin Police received a  
12 call from Respondent's parents advising them that Respondent was about to leave. A Rocklin  
13 Police officer was able to locate Respondent's car on the road and pull her over. Respondent  
14 failed her field sobriety tests and her blood alcohol content was later determined to be .17%.

15 12. On or about February 15, 2022, in a criminal proceeding entitled *People of the State*  
16 *of California vs. Santos, Kelsie Lee*, Case No. 62-180790, Respondent was convicted upon her  
17 plea of nolo contendere to the charge of violating Vehicle Code section 23152(a), a misdemeanor.  
18 She furthermore admitted to the allegation of having an excessive blood alcohol level of  
19 .017/.016 (pursuant to Vehicle Code section 23578). The Court sentenced Respondent to twenty  
20 (20) days in jail, and three (3) years of probation which included the following probation  
21 conditions: payment of fines and fees, the completion of a DUI Panel and enrollment in a three  
22 (3) month DUI first offender class, abstain from use or possession of alcoholic beverages, abstain  
23 from driving with any measurable amount of alcohol in her blood, and submit to chemical testing  
24 by any peace officer.

25 13. On or about April 15, 2022, the Board received a letter from Respondent that  
26 attempted to explain the circumstances of her arrest and conviction.

27 ///

28 ///

1 **FIRST CAUSE FOR DISCIPLINE**

2 (Conviction of a Substantially Related Crime)

3 14. Respondent is subject to disciplinary action under Code sections 490 and 4992.3(a),  
4 in conjunction with C.C.R., title 16, section 1812(a), in that she was convicted of an offense  
5 substantially related to the qualifications, functions or duties of an Associate Clinical Social  
6 Worker, as more particularly alleged in paragraphs 11 and 12, above, which are hereby  
7 incorporated by reference and re-alleged as if fully set forth herein.

8 **SECOND CAUSE FOR DISCIPLINE**

9 (Use of Alcohol in a Manner Dangerous to Licensee or Others)

10 15. Respondent is subject to disciplinary action under Code section 4992.3(c), in that she  
11 administered to herself alcoholic beverages to an extent or in such a manner as to be dangerous or  
12 injurious to the licensee, or to any others, as more particularly alleged in paragraphs 11 and 12,  
13 above, which are hereby incorporated by reference and realleged as if fully set forth herein.

14 **THIRD CAUSE FOR DISCIPLINE**

15 (Failure to Report Conviction)

16 16. Respondent is subject to disciplinary action under Code section 4992.3 for  
17 unprofessional conduct as defined in C.C.R., title 16, section 1881 (s)(1), in that she failed to  
18 report within 30 days her conviction on February 15, 2022, for violating Vehicle Code section  
19 23152.

20 **PRAYER**

21 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
22 and that following the hearing, the Board of Behavioral Sciences issue a decision:

23 1. Revoking or suspending Associate Clinical Social Worker Registration Number ASW  
24 89404, issued to Kelsey Lee Santos;

25 ///

26 ///

1           2.     Ordering Kelsey Lee Santos to pay the Board of Behavioral Sciences the reasonable  
2 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
3 Code section 125.3; and,

4           3.     Taking such other and further action as deemed necessary and proper.  
5  
6

7           DATED:     August 3, 2022

*Steve Sodergren*

STEVE SODERGREN  
Executive Officer  
Board of Behavioral Sciences  
Department of Consumer Affairs  
State of California  
*Complainant*

12  
13     SA2022302951  
14     36382325.docx  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28